

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

KEVIN ANTHONY JOHNSON,

Defendant.

8:11CR164

ORDER

Defendant Kevin Anthony Johnson (Johnson) appeared before the court on June 18, 2014, on the Petition for Warrant or Summons for Offender Under Supervision (Petition) (Filing No. 44). Johnson was represented by First Assistant Federal Public Defender Shannon P. O'Connor and the United States was represented by Assistant U.S. Attorney Douglas R. Semisch. Through his counsel, Johnson waived his right to a probable cause hearing on the Petition pursuant to Fed. R. Crim. P. 32.1(a)(1). I find that the Petition alleges probable cause and Johnson should be held to answer for a final dispositional hearing before Chief Judge Laurie Smith Camp.

The government moved for detention. Johnson proffered seek re-employment with Kawasaki in Lincoln and live with his girlfriend in Lincoln. Since it is Johnson's burden under 18 U.S.C. § 3143 to establish by clear and convincing evidence that he is neither a flight risk nor a danger to the community, the court finds Johnson has failed to carry his burden and that Johnson should be detained pending a dispositional hearing before Chief Judge Smith Camp.

IT IS ORDERED:

1. A final dispositional hearing will be held before Chief Judge Laurie Smith Camp in Courtroom No. 2, Third Floor, Roman L. Hruska U.S. Courthouse, 111 South 18th Plaza, Omaha, Nebraska, **at 11:00 a.m. on July 24, 2014**. Defendant must be present in person.

2. Defendant Kevin Anthony Johnson is committed to the custody of the Attorney General or his designated representative for confinement in a correctional facility;

3. Defendant shall be afforded a reasonable opportunity for private consultation with defense counsel; and

4. Upon order of a United States court or upon request of an attorney for the government, the person in charge of the corrections facility shall deliver defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED this 18th day of June, 2014.

BY THE COURT:

s/ Thomas D. Thalken
United States Magistrate Judge